

Martin J. Brill (Calif. Bar No. 53220)
Philip A. Gasteier (Calif. Bar No. 130043)
Krikor J. Meshefejian (Calif. Bar No. 255030)
LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.
10250 Constellation Blvd., Suite 1700
Los Angeles, California 90067
Telephone: (310) 229-1234
Facsimile: (310) 229-1244
mjb@lnbyb.com; pag@lnbyb.com; kjm@lnbyb.com
Counsel for Official Committee of Creditors Holding Unsecured Claims

George Hofmann – Bar No. 10005
COHNE KINGHORN, A PROFESSIONAL CORPORATION
111 East Broadway, 11th Floor
Salt Lake City, UT 84111
Telephone: (801) 415-0132
Facsimile: (801) 363-4378
ghofmann@cohnekinghorn.com
Local Counsel for Official Committee of Creditors Holding Unsecured Claims

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

In re **CS MINING, LLC,**

Bankruptcy Case No. 16-24818

Debtor.

(Chapter 11)

Judge William T. Thurman

**STIPULATION CLARIFYING AND EXTENDING DEADLINE TO OBJECT TO
CLAIMS FILED BY CLARITY MANAGEMENT, L.P., EMPIRE ADVISORS, LLC,
DAVID J. RICHARDS, AND CLINTON W. WALKER**

The Official Committee of Creditors Holding Unsecured Claims (the “Committee”), on the one hand, and Clarity Management, L.P., Empire Advisors, LLC, David J. Richards, and Clinton W. Walker (collectively, the “Clarity/Empire/Richards/Walker Parties”), on the other hand, by their undersigned counsel, hereby stipulate as follows:

1. Certain of the Clarity/Empire/Richards/Walker Parties have stated that the only party with standing to object to the claims of the Clarity/Empire/Richards/Walker Parties is the Committee.

2. On October 24, 2018, the Liquidation Trust of CS Mining, LLC (the "Liquidation Trust"), on the one hand, and Clarity Management, L.P. and Empire Advisors, LLC, on the other hand, entered into that certain *Stipulation Of The Parties To (1) Stay Proceedings Pending Mediation; (2) Extension Of Time For Committee To File Objection To Claims And Related Issues* in Adversary Proceeding No. 18-02090 (the "Adversary Proceeding Stipulation").

3. As set forth in the Adversary Proceeding Stipulation, the Liquidation Trust, Clarity Management, L.P. and Empire Advisors, LLC have agreed to participate in a mediation of the claims and defenses asserted in Adversary Proceeding No. 18-02090. Separately, in Adversary Proceeding No. 18-02064, the Committee, David J. Richards, Clinton W. Walker, and David McMullin, have agreed to participate in a mediation.

4. The Adversary Proceeding Stipulation also provides that Adversary Proceeding No. 18-02090 shall be stayed until thirty (30) days after the parties' completion of the mediation (the "Stay Termination Date").

5. The Adversary Proceeding Stipulation also provides that the Committee shall have through and including thirty (30) days after the Stay Termination Date to file an objection to the claims of Clarity Management, L.P. and Empire Advisors, LLC as set forth in Adversary Proceeding No. 18-02090.

6. However, there does not appear to be an identical stipulation extending the deadline, if any, for the Committee to file objections to any claims (administrative or pre-petition) filed by David J. Richards or Clinton W. Walker.

7. The Committee and the Clarity/Empire/Richards/Walker Parties have met and conferred and have agreed that the deadline, if any, for the Committee to file objections to any claim (administrative or pre-petition) filed by any of the Clarity/Empire/Richards/Walker Parties, is extended to, through, and including, thirty days after the Stay Termination Date.

Dated: November __, 2018

LEVENE, NEALE, BENDER, YOO & BRILL L.L.P.

/s/ Martin J. Brill

Martin J. Brill

Philip A. Gasteier

Krikor J. Meshefejian

Counsel for Liquidation Trust

Dated: November 5, 2018

AFFELD GRIVAKES LLP



Christopher Grivakes

*Counsel for Clarity Management, L.P., Empire
Advisors, LLC, David J. Richards, and Clinton W.
Walker*

CERTIFICATE OF SERVICE

1. On the 15th day of November 2018, I served the following document:

**STIPULATION CLARIFYING AND EXTENDING DEADLINE TO OBJECT TO
CLAIMS FILED BY CLARITY MANAGEMENT, L.P., EMPIRE ADVISORS, LLC,
DAVID J. RICHARDS, AND CLINTON W. WALKER**

2. I served the above-named document by the following means to the persons as listed below:

X a. ECF System

b. United States mail, postage fully prepaid

c. Personal Service

d. By direct email (as opposed to through the ECF System)

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

e. By Fax transmission

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of fax transmission is attached.

f. By Messenger

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service.

I declare under penalty of perjury that the foregoing is true and correct.

Dated this 15th day of November 2018

By: Stephanie Reichert

/s/ Stephanie Reichert

Signature

SERVICE VIA ECF NOTICE

- Adam S. Affleck asa@pyglaw.com, debbie@princeyeates.com;docket@princeyeates.com;andalin@princeyeates.com
- Steven F. Alder stevealder@utah.gov
- James W. Anderson jwa@clydesnow.com, jritchie@clydesnow.com
- Troy J. Aramburu taramburu@swlaw.com, nharward@swlaw.com,docket_slc@swlaw.com,sballif@swlaw.com
- J. Thomas Beckett tbeckett@parsonsbehle.com, ecf@parsonsbehle.com;brothschild@parsonsbehle.com;kstankevitz@parsonsbehle.com
- Darwin H. Bingham dbingham@scalleyreading.net, cat@scalleyreading.net
- Stephen T. Bobo sbobo@reedsmith.com
- Kyle A. Brannon kbrannon@nexsenpruet.com
- Scott S Bridge sbridge@keslerrust.com
- Martin J. Brill mjb@lnbyb.com
- Mona Lyman Burton mburton@hollandhart.com, intaketeam@hollandhart.com;slclitdocket@hollandhart.com;lcpaul@hollandhart.com
- Keith A. Call kcall@scmlaw.com, hae@scmlaw.com
- Kenneth L. Cannon kcannon@djplaw.com, khughes@djplaw.com
- Laurie A. Cayton tr laurie.cayton@usdoj.gov, James.Gee@usdoj.gov;Lindsey.Huston@usdoj.gov;Suzanne.Verhaal@usdoj.gov
- Patricia W. Christensen pchristensen@parrbrown.com
- Christopher B. Chuff chuffc@pepperlaw.com
- Joanna J. Cline clinej@pepperlaw.com
- Joseph M.R. Covey calendar@parrbrown.com;nmckean@parrbrown.com
- P. Matthew Cox bankruptcy_pmc@scmlaw.com
- Robert T. Denny rtd@scmlaw.com, ajm@scmlaw.com
- Andres' Diaz courtmail@adexpresslaw.com
- Timothy D. Ducar tducar@azlawyers.com, orders@azlawyers.com
- Victoria B. Finlinson vbf@clydesnow.com
- Philip A. Gasteier pag@lnbyb.com
- Matthew A. Gold courts@argopartners.net
- Christopher Grivakes cg@agzlaw.com
- Robert W. Hamilton rwhamilton@jonesday.com
- M. Darin Hammond dhammond@smithknowles.com, astevenson@smithknowles.com
- Timothy O. Hemming themming@djplaw.com
- George B. Hofmann ghofmann@cohnekinghorn.com, dhaney@cohnekinghorn.com;jthorsen@cohnekinghorn.com
- Paul C. Huck paulhuck@jonesday.com, ramoncastillo@jonesday.com
- David W. Hunter davidh@fisherhunterlaw.com
- Pedro A. Jimenez pjimenez@jonesday.com
- Michael R. Johnson mjohnson@rqn.com, docket@rqn.com;dburton@rqn.com
- Peter J. Kuhn tr Peter.J.Kuhn@usdoj.gov, James.Gee@usdoj.gov;Lindsey.Huston@usdoj.gov;Suzanne.Verhaal@usdoj.gov
- Brian R. Langford brian@mhmlawoffices.com, brian@mhmlawoffice.com
- David H. Leigh dleigh@rqn.com, dburton@rqn.com;docket@rqn.com
- David E. Leta dleta@swlaw.com, wkalaia@swlaw.com;csmart@swlaw.com
- Andrew C. Lillie andrew.lillie@hoganlovells.com
- Jessica Black Livingston jessica.livingston@hoganlovells.com
- Ralph R. Mabey rmabey@kmclaw.com
- Adelaide Maudsley amaudsley@kmclaw.com, tslaughter@kmclaw.com
- Scott O. Mercer som@keslerrust.com
- Krikor J. Meshefejian kjm@lnbyb.com
- Elijah L. Milne emilne@djplaw.com, pbricker@djplaw.com

- Matt Munson matt@mamunsonlaw.com, chris@mamunsonlaw.com
- Sherilyn A. Olsen solsen@hollandhart.com, slclitdocket@hollandhart.com;intaketeam@hollandhart.com;cfries@hollandhart.com
- Ellen E Ostrow eostrow@hollandhart.com, intaketeam@hollandhart.com;lahansen@hollandhart.com
- A.M. Cristina Perez Soto cperezsoto@jonesday.com, ramoncastillo@jonesday.com
- Lester A. Perry lap@hooleking.com, apb@hooleking.com
- Thomas W. Peters twp@psplawyers.com, hj@psplawyers.com
- David L. Pinkston bankruptcy_dlp@scmlaw.com
- George W. Pratt gpratt@joneswaldo.com
- Adam H Reiser areiser@cohnekinghorn.com
- Walter A Romney war@clydesnow.com, mmann@clydesnow.com
- Brian M. Rothschild brothschild@parsonsbehle.com, ecf@parsonsbehle.com
- John H. Schanne schannej@pepperlaw.com, henrys@pepperlaw.com;molitorm@pepperlaw.com
- Chris L. Schmutz chrisschmutz.pc@gmail.com, hillaryschmutz@yahoo.com;r60588@notify.bestcase.com
- Jeremy C. Sink jsink@mbt-law.com
- Stephen Styler steve@stylerdaniels.com
- Richard C. Terry richard@tjblawyers.com, cbcecf@yahoo.com
- Jeff D. Tuttle jtuttle@swlaw.com, jpollard@swlaw.com;docket_slc@swlaw.com
- United States Trustee USTPRegion19.SK.ECF@usdoj.gov
- Jessica P Wilde jwilde@joneswaldo.com
- Mark W Williams mwilliams@shermanhoward.com, nhedges@shermanhoward.com;efiling@sah.com;bmcalister@shermanhoward.com
- Kim R. Wilson bankruptcy_krw@scmlaw.com
- Lee E. Woodard lwoodard@harrisbeach.com
- Beth Ann R. Young bry@Lnbyb.com
- P. Matthew x2Cox bankruptcy_pmc@scmlaw.com
- Gale K. x6Francis txbk13@utah.gov